GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PENSIONS – Grant of dual Family Pension to the family members of the deceased military pensioner who re-employed in civil service – Modification to the G.O.Ms.No.195, Fin. & Plg. (FW: Pen.I) Dept., dt.12-5-1985 under Rule 19 of APRPRs 1980 – Orders – Issued.

FINANCE (HRM.V) DEPARTMENT

G.O.MS.No. 35 Dated: 03-03-2016
Read the following

1. G.O.Ms.No.195, Fin. & Plg. (FW: Pen.I) Dept., dt.12-5-1985
2. Letter No.PM/I/Genl/2014-15/121210, dt. NIL, received from Accountant General (A&E), Andhra Pradesh, Hyderabad
3. Letter D.O.No.PC1(5)/2010-D(Pen/Pol),dt. 7.11.2014 from GOI, Ministry of Defence, Department of Ex-Servicemen Welfare, New Delhi

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The Accountant General (A&E) in the reference 2nd cited has informed that Government of India allowed dual family pension – one for military service and the other for the civil employment on their re-employment. It is also informed that as per the Executive instructions under Rule 19 of APRPRs 1980, a military pensioner who has opted for military pension is not eligible for family pension and therefore requested the Government to examine the orders of Government of India for necessary consideration and decision.

2. According to the existing provisions i.e. Executive instructions (a) to (c) under Rule 19 of A.P Revised Pension Rules 1980 issued in the G.O first read above, a military pensioner re-employed in a state Government pensionable post can draw military pension in addition to the pension attachable to the civil post, if any, admissible according to rules, provided he exercise option for the same. A similar option also has to be exercised in respect of family pension. Otherwise, he can opt to surrender military pension or Gratuity and count in lieu thereof the military service also for civil pension and the family pension will be admissible to his family under the pension rules applicable to him in civil post. The same scenario is equally applicable to the family pensioners pertaining to the military pensioners.

3. In the reference 3rd cited, it is informed that the families of Armed Forces pensioners who got re-employed in civil Departments /PSUs /Autonomous bodies/Local Funds of Central/State Governments after retirement from military service and were in receipt of military pension till death, have been allowed to draw family pension from military side as well as the family pension, if any, authorised from the civil department subject to fulfillment of other prescribed conditions as hither to in force.

4. Keeping in view of the latest instructions issued by GOI, it is decided to adopt the procedure being followed by the GOI on grant of dual Family pension to the next of Kin of

(Contd…2)

the deceased military pensioner, from military side and also the family pension authorized from the civil departments in which re-employed in Civil post/service subject to fulfillment of prescribed conditions in terms of Rule 50 of APRPRs 1980, by incorporating a provision for allowing dual family pension - one for military service and the other for the civil employment on their re-employment below the Executive instructions (a) to (c) under Rule 19 of APRPRs 1980 issued in the reference 1st cited.

5. Accordingly, Government after careful consideration hereby suitably modifying the provisions below the Executive instructions (a) to (c) under Rule 19 of APRPRs 1980 for grant of Dual family pension to the kin of military pensioners.

(a)**"If, on regular appointment in a civil service or a civil post, a military pensioner has to exercise an option within six months of the date of issue of the order of regular appointment to a civil service or post on re-employment or within a period of three months of his return from leave, whichever is later, if he is on leave, to retain military pension for the past military service in terms of Rule 19(1)(a) of APRPRs 1980. If no option is exercised within the period aforesaid, he shall be deemed to have opted for retention of pension authorized under relevant instructions of Army/Navy/Air force as the case may be". No separate option is required to be exercised by the military pensioner for family pension.**

In such a case, the family of the military pensioner shall be allowed to draw family pension from military side in addition to the family pension, if any, authorized from the civil departments subject to fulfillment of other prescribed conditions under Rule 50 of APRPRs 1980.

(b)If, on his regular appointment in a civil service or civil post, in the course of re-employment, he has opted to surrender military pension and count in lieu thereof, the military service also for civil pension, he shall be governed by the family pension admissible under the pension rules applicable to him in respect of his civil service or civil post.

(c) Deleted. Since no separate option is required to be exercised by the family members.

6. This benefit shall be applicable to the Armed Forces personnel who got discharged/retired/invalidated from service with effect from 10.02.2015 and the financial benefit in past cases shall be granted from the above said date only.

7. These orders shall not be applicable to the Armed Force pensioners who are re-employed in civil service on or after 1.9.2004.

8. This order can be accessed at: http://www.aponline.gov.in, http://www.goir.ap.gov.in and http://www.apfinance.gov.in

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. P.V.RAMESH
PRINCIPAL FINANCE SECRETARY TO GOVERNMENT

To
All Departments of Secretariat.
All Heads of Departments.

The Director of Treasuries and Accounts, A.P. Hyderabad.
The Director of State Audit, A.P. Hyderabad.
The Director of Works and Projects, Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The Andhra Pradesh Headquarters Treasury at Hyderabad in the office of the DTA, AP at Hyderabad.
The Principal Accountant General, A.P. Hyderabad. (With a covering letter)
The Accountant General (A&E) A.P. Hyderabad.
The Accountant General (Audit. I) A.P., Hyderabad.
The Accountant General (Audit.II) A.P. Hyderabad.
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The Registrar Lokayukta and Upa Lokayukta, A.P. Hyderabad (with a covering letter).
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SECTION OFFICER